

KELLER BENVENUTTI KIM LLP

Jane Kim (#298192)

(jkim@kbbkllp.com)

Gabrielle Albert (#190895)

(galbert@kbbkllp.com)

650 California Street, Suite 1900

San Francisco, CA 94108

Tel: 415 496 6723

Fax: 650 636 9251

LITTLER MENDELSON P.C.

Elisa Nadeau (#199000)

(enadeau@littler.com)

50 West San Fernando Street, 7th Floor

San Jose, CA 95113

Tel: 408 961 7119

Fax: 408 516 8313

Attorneys for the Reorganized Debtors

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Reorganized Debtors.

☐ Affects PG&E Corporation

☐ Affects Pacific Gas and Electric Company

☒ Affects both Debtors

** All papers shall be filed in the Lead Case, No.
19-30088 (DM).*

Bankruptcy Case No. 19-30088 (DM)

Chapter 11

(Lead Case) (Jointly Administered)

**DECLARATION OF ELISA NADEAU IN
SUPPORT OF REORGANIZED DEBTORS'
OPPOSITION TO CLAIMANT'S OMNIBUS
MOTION FOR RELIEF FROM FINAL
ORDER, MOTION FOR RELIEF FROM
STAY, AND RESPONSE TO REORGANIZED
DEBTOR'S OBJECTION TO CLAIM NO.
58462, FILED OCTOBER 17, 2019**

Related to Docket Nos.: 13455, 13456 & 13464

Hearing Information:

Date: March 7, 2023

Time: 10:00 a.m. (Pacific Time)

Place: (Tele/Videoconference Appearances Only)

United States Bankruptcy Court

Courtroom 17, 16th Floor

San Francisco, CA 94102

1 I, Elisa Nadeau, pursuant to section 1746 of title 28 of the United States Code, hereby declare
2 under penalty of perjury that the following is true and correct to the best of my knowledge, information,
3 and belief:

4 1. I am the attorney of record for Defendant Pacific Gas and Electric Company (the
5 “**Utility**”) in the civil case pending before the Santa Clara County Superior Court, *Jannings v. Pacific*
6 *Gas and Electric Company, erroneously sued as “Pacific Gas & Electric”*, Case No. 17CV315033, (the
7 “**State Court Litigation**”) and have represented the Utility since its first appearance in that matter. I
8 have personal knowledge of the facts set forth herein and, if called as a witness, could and would
9 competently testify thereto. I submit this Declaration in support of the *Reorganized Debtors’ Opposition*
10 *to Claimant’s Omnibus Motion for Relief from Final Order, Motion for Relief from Stay, and Response*
11 *to Reorganized Debtor’s Objection to Claim No. 58462, Filed October 17, 2019* (the “**Opposition**”),¹
12 filed contemporaneously herewith.

13 2. On May 5, 2022, I appeared in the State Court Litigation for a case management
14 conference. At that conference, Mr. Scott Furstman appeared as counsel for Jannings. I explained to
15 the State Court that Jannings’ claim in the Chapter 11 Cases was expunged and disallowed by order on
16 January 13, 2022, and that the Court had denied the motion for relief from the order filed by Jannings
17 on March 14, 2022. Mr. Furstman stated that Jannings’ bankruptcy attorney planned to file a motion for
18 relief under Rule 60 of the Federal Rules of Civil Procedure.

19 3. The State Court judge stated he could not make an order dismissing the State Court
20 Litigation and set the matter over for a further case management conference on September 22, 2022.

21 4. On September 22, 2022, I again appeared in Department 19 of Santa Clara County
22 Superior Court for the continued case management conference, the Honorable Amber Rosen presiding.
23 Mr. Furstman again appeared on behalf of Jannings. Mr. Furstman stated that Jannings was planning on
24 retaining bankruptcy counsel to file an unspecified motion for relief from the order expunging and
25 disallowing the claim. Judge Rosen suggested Defendant file a motion to dismiss the case and set the
26 matter over for a further case management conference on February 9, 2023.

27
28 ¹ Capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in
the Opposition.

3 6. On February 9, 2023, I appeared in Department 10 of Santa Clara County Superior Court
4 for a case management conference in the State Court Litigation. Mr. Furstman again appeared on behalf
5 of Jannings and represented to the Court that Jannings had “appealed” the bankruptcy court’s decision.
6 I corrected the characterization of Jannings’ motion as an “appeal” and informed the State Court that
7 Jannings had filed the Second Reconsideration Motion, which seeks the same relief that was denied in
8 the First Reconsideration Motion.

9 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and
10 correct to the best of my knowledge, information, and belief. Executed this 21st day of February, 2023,
11 in San Jose, California.

/s/ Elisa Nadeau
Elisa Nadeau